



# CITY OF LODI COUNCIL COMMUNICATION

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**AGENDA TITLE:** Adopt Resolution Authorizing City Manager to Execute Contract for 2011 Streets Crack Sealing Project with American Asphalt Repair and Resurfacing Company, of Hayward (\$42,788.13)

**MEETING DATE:** April 6, 2011

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt resolution authorizing City Manager to execute contract for 2011 streets crack sealing project with American Asphalt Repair and Resurfacing Company, of Hayward, in the amount of \$42,788.13.

**BACKGROUND INFORMATION:** This project consists of crack sealing approximately 1,500,000 square feet of various City streets. The primary cause of asphalt failure is water infiltration into the street subgrade. Crack sealing is one of the most cost-effective preventative maintenance practices, but the work can only be performed during the warm summer months. In an effort to seal as much street area as possible over this short timeframe, this work will supplement crack sealing performed by City crews.

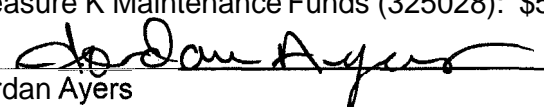
Plans and specifications for this project were approved on February 16, 2011. The City received the following six bids for this project on March 16, 2011.

Bidder	Location	Bid
Engineer's Estimate		\$ 50,000.00
American Asphalt Repair and Resurfacing Company	Hayward	\$ 42,788.13*
Rubberized Crackfiller Sealant, Inc.	Fullerton	\$ 44,204.00
Graham Contractors, Inc.	San Jose	\$ 44,343.87*
Valley Slurry Seal Company	West Sacramento	\$ 52,208.92*
California Pavement Maintenance Company	Sacramento	\$ 79,854.37*
Intermountain Slurry Seal Company	Sacramento	\$ 120,654.96

\*Corrected total

**FISCAL IMPACT:** By increasing the crack sealing effort, the useful life of the City streets will be extended.

**FUNDING AVAILABLE:** Measure K Maintenance Funds (325028): \$50,000

  
Jordan Ayers

Deputy City Manager/Internal Services Director

  
F. Wally Sandelin

Public Works Director

Prepared by Curt Juran, Streets and Drainage Superintendent  
FWS/CJ/pmf

cc: Deputy Public Works Director – Utilities  
Streets and Drainage Superintendent

APPROVED: 

Konrad Bartlam, City Manager

THIS CONTRACT, made by and between the CITY OF LODI, State of California, herein referred to as "**City**" and AMERICAN ASPHALT REPAIR AND RESURFACING COMPANY herein referred to as "**Contractor**".

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete contract consists of the following documents, which are filed in the Public Works Department, and which are incorporated herein by this reference, to-wit:

Notice Inviting Bids  
Information to Bidders  
General Provisions  
Special Provisions  
Bid Proposal  
Contract  
Vicinity Map

The July 1992 Edition Standard  
Specifications, State of California  
Business and Transportation Agency,  
Department of Transportation

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

**ARTICLE I** That for and in consideration of the payments and agreements hereinafter mentioned, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to maintain in a good workmanlike and substantial manner to the satisfaction of the City the proposed maintenance of landscaped areas.

**ARTICLE II** The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

**ARTICLE III** And the Contractor agrees to receive and accept the following prices as full compensation for furnishing the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Contract Documents and the requirements of the Engineer under them, to-wit:

**ARTICLE IV** By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured

against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

Road Name	From Address	To Address	Approximate area SQ FT	Price per Street
Cherry St.	Garfield St.	W/O Central.	27,720	\$831.60
Eden St.	Stockton St.	Garfield St.	89,692	\$2,690.76
Mission St.	Stockton St.	Garfield St.	56,508	\$1,695.24
Redwood St.	Washington St.	Stockton St.	19,800	\$594.00
Watson St.	Washington St.	Stockton St.	31,656	\$949.68
Wellswood Av.	Vine St.	S END	28,350	\$850.50
Voelker Dr.	Kettleman Ln.	END	12,460	\$373.80
Voyager Dr.	Culbertson Dr.	Oriole Ln.	45,255	\$1,357.65
Woodrow Pl.	Woodrow St.	W END	2,832	\$84.96
Woodrow St.	Hale St.	Delores St.	53,909	\$1,617.27
Arlington Dr.	Hampton Dr.	Huntington Dr.	18,360	\$550.80
Atherton Dr.	Iris Dr.	N END	39,204	\$1,176.12
Ash Dr.	Cardinal St.	Park St.	51,345	\$1,540.35
Cardinal St	Ham Ln	Ash Dr	42,000	\$1,260.00
Park St	Downing Dr	Ham Ln	51,310	\$1,539.30
Bordeau Dr	Zinfandel Dr	Burgundy Dr	14,105	\$423.15
Burgundy Ct	Burgundy Dr	E END	3,672	\$110.16
Burgundy Ln	Ham Ln	Burgundy Dr	7,910	\$237.30
Burgundy Dr	Vin Rose Dr	Zinfandel Dr	56,035	\$1,681.05
Chablis Dr	Burgundy Dr	Ham Ln	40,460	\$1,213.80
Zinfandel Dr.	Vin Rose Dr.	Sherry Ct.	8,925	\$267.75
Rockingham Cir.	ALL		56,700	\$1,701.00
La Vida Dr.	Cabrillo Cir.	END	13,140	\$394.20
Alto Wy.	Corbin Ln.	Tokay St.	7,650	\$229.50
Corbin Ln.	Lower Sacramento Rd.	Camellia Wy.	82,042	\$2,461.26
Summerset Ct.	Cochran Rd.	N/W END	14,130	\$423.90
Cochran Rd.	Lower Sacramento Rd.	E END	97,791	\$2,933.73
Evert Ct.	Vine St.	N END	7,500	\$225.00
Evert Ct.	Vine St.	S END	4,740	\$142.20
Kramer Dr.	Vine St.	Wightman Dr.	20,760	\$622.80
Sunwest Dr.	Laver Ct.	W END	38,675	\$1,160.25
Wintergreen Ct.	Cochran Rd.	N/E END	10,530	\$315.90
Geneva Ln.	Tyler Wy	Petersburg Wy.	21,245	\$637.35
Laver Ct.	N END	Vine St.	4,740	\$142.20
Laver Ct.	Vine St.	Sunwest Dr.	9,555	\$286.65
Petersburg Wy.	Geneva Ln.	Vienna Dr.	9,625	\$288.75
Tyler Wy	Vienna Dr.	Geneva Ln.	9,590	\$287.70

Road Name	From Address	To Address	Approximate Area SQ FT	Price per Street
Vienna Dr.	Tienda Dr.	Tyler Wy	56,280	\$1,688.40
Timberlake Cir.	East of Lakeshore Dr.	All	63,885	\$1,916.55
Willow Point	Lakeshore Dr.	N END	9,275	\$278.25
Lakeshore Dr.	Mills Ave.	Kettleman Ln.	111,965	\$3,358.95
Newport Dr.	Camphor Wy.	Lakeshore Dr.	9,590	\$287.70
Winding Oak St.	Amber Leaf Wy.	Camphor Wy.	21,560	\$646.80
Windy Tree	Amber Leaf Wy	Autumn Wy.	8,925	\$276.75
Orchis Dr. and Orchis Ct.	All		13,640	\$409.20
Sand Creek Dr.	Mills Ave.	Sylvan Wy.	20,930	\$627.90
		<b>Total</b>		<b>\$42,788.13</b>

**ARTICLE V** It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE PERIOD FOR THIS CONTRACT IS IN EFFECT FROM 10 DAYS FOLLOWING AWARD OF CONTRACT THROUGH JUNE 30, 2011, AND THE CONTRACTOR AGREES TO SUBMIT MONTHLY BILLINGS NO LATER THAN THE 10<sup>TH</sup> OF EACH MONTH.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands the day and year first written.

\_\_\_\_\_  
CONTRACTOR

Dated: \_\_\_\_\_, 2011

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
TYPE OF ORGANIZATION

Individual, Partnership or Corporation

(Affix corporate seal if Corporation)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

CITY OF LODI

A Municipal corporation

\_\_\_\_\_  
Konradt Bartlam  
City Manager

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Randi Johl  
City Clerk

\_\_\_\_\_  
Date

Approved as to Form:

\_\_\_\_\_  
D. Stephen Schwabauer  
City Attorney

\_\_\_\_\_  
Date

RESOLUTION NO. 2011-43

A RESOLUTION OF THE LODI CITY COUNCIL  
AUTHORIZING THE CITY MANAGER TO EXECUTE  
CONTRACT FOR THE 2011 STREETS CRACK  
SEALING PROJECT

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on March 16, 2011, at 11:00 a.m., for the 2011 Streets Crack Sealing Project described in the plans and specifications therefore approved by the City Council on March 2, 2011; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

<b>Bidder</b>	<b>Bid</b>
American Asphalt Repair and Resurfacing Company	\$ 42,788.13*
Rubberized Crackfiller Sealant, Inc.	\$ 44,204.00
Graham Contractors, Inc.	\$ 44,343.87*
Valley Slurry Seal Company	\$ 52,208.92*
California Pavement Maintenance Company	\$ 79,854.37*
Intermountain Slurry Seal Company	\$ 120,654.96

\*Corrected total

WHEREAS, staff recommends awarding the contract for the 2011 Streets Crack Sealing Project to the low bidder, American Asphalt Repair and Resurfacing Company, of Hayward, California, in the amount of \$42,788.13.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute the contract for the 2011 Streets Crack Sealing Project with the low bidder, American Asphalt Repair and Resurfacing Company, of Hayward, California, in the amount of \$42,788.13.

Dated: April 6, 2011

I hereby certify that Resolution No. 2011-43 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 6, 2011, by the following vote:

AYES: COUNCIL MEMBERS - Hansen, Katzakian, Mounce, Nakanishi,  
and Mayor Johnson

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

  
RANDI JOEHL  
City Clerk